

**WASHINGTON STATE
EMPLOYMENT SECURITY DEPARTMENT**

**REQUEST FOR PROPOSAL (RFP)
RFP NO. 2010-024**

NOTE: *If you obtain this RFP from any other method than from Washington's Electronic Business Solution (WEBS) website at <https://fortress.wa.gov/ga/webs/>, you are responsible for sending your name, address, e-mail address and telephone number to the RFP Coordinator in order for your organization to receive any RFP amendments or bidder questions/agency answers.*

This project/contract is funded in whole or in part by funds made available through the American Recovery and Reinvestment Act (ARRA)

PROJECT TITLE: Workforce Explorer Usability Project

PROPOSAL DUE DATE: June 14, 2010; 3 p.m. Pacific Standard Time, Olympia, Washington, USA.

EXPECTED TIME PERIOD FOR CONTRACT: June 30, 2010, to June 10, 2011. The Employment Security Department reserves the right to extend the contract for up to two additional one-year periods at the sole discretion of ESD.

ELIGIBILITY REQUIREMENTS: This procurement is open to those bidders that satisfy the minimum qualifications stated herein and that are available for work in Washington State.

CONTENTS OF THE REQUEST FOR PROPOSAL:

1. Introduction
2. General Information for Bidders
3. Proposal Contents
4. Evaluation and Award
5. Exhibits
 - A. Certifications and Assurances
 - B. Model Information Technology Contract Terms and Conditions (posted separately)

TABLE OF CONTENTS

1.	Introduction	3
1.1	Purpose and Background.....	3
1.2	Scope of Work and Deliverables.....	3
1.3	Minimum Qualifications	5
1.4	Desirable Qualifications	6
1.5	Funding	6
1.6	Period of Performance	6
1.7	Contracting with Current or Former State Employees	6
1.8	Definitions.....	6
1.9	ADA	7
2.	General Information for Bidders.....	8
2.1	RFP Coordinator	8
2.2	Estimated Schedule of Procurement Activities	8
2.3	Letter of Intent	9
2.4	Vendor Questions	9
2.5	Vendor Comments Invited.....	9
2.6	Submission of Proposals.....	10
2.7	Proprietary Information/Public Disclosure	10
2.8	Revisions to the RFP	10
2.9	Minority & Women-Owned Business Participation.....	11
2.10	Acceptance Period	11
2.11	Responsiveness.....	11
2.12	Most Favorable Terms	11
2.13	Contract and General Terms & Conditions	12
2.14	Costs to Propose.....	12
2.15	No Obligation to Contract.....	12
2.16	Rejection of Proposals	12
2.17	Commitment of Funds.....	12
2.18	Insurance Coverage.....	12
3.	Proposal Contents	14
3.1	Letter of Submittal	14
3.2	Technical Proposal.....	15
3.3	Management Proposal	15
3.4	Cost Proposal.....	17
4.	Evaluation and Contract Award	18
4.1	Evaluation Procedure	18
4.2	Evaluation Weighting and Scoring	18
4.3	Interviews	18
4.4	Notification to Proposers	19
4.5	Optional Bidder Debriefing	19
4.6	Protest Procedure	19
5.	RFP Exhibits	20
	Exhibit A Certifications and Assurances	
	Exhibit B Model Information Technology Contract Terms and Conditions (posted separately)	

1. INTRODUCTION

1.1 PURPOSE AND BACKGROUND

Washington State Employment Security Department (ESD) is soliciting proposals for Web services, including heuristic evaluation, user research, usability testing, and design and development.

ESD wants to improve the organization, functionality and clarity of WorkforceExplorer.com, a Web site dedicated to labor-market information, including the state's official employment statistics. ESD wants to make information on the site as accessible and usable as possible for job-seekers, WorkSource employment specialists (career counselors) and business services (outreach) staff, and employers. For this reason, ESD is seeking a contractor to help the agency meet these priority users' needs and to present the content in an intuitive format that results in a pleasant, successful on-line user experience.

ESD has received a federal grant to integrate green-economy and other labor-market information and make it prominently available on the Internet. The grant is prompting a comprehensive, systematic assessment of Workforce Explorer's usability and user needs.

The Workforce Explorer Usability Project bolsters ESD's mission, vision and strategic goals for 2008-2013 especially goal #3 and its first strategic subgoal:

- Support Washington's economy by providing excellent services and information to internal and external customers to assist in making data-driven decisions.
 - Simplify and increase access to economic information and analysis for workers, businesses, and policy-makers.

1.2 SCOPE OF WORK AND DELIVERABLES

ESD desires the consultation, facilitation and services of an experienced contractor to help improve the organization, functionality and clarity of Workforce Explorer. ESD desires the Web site to highlight green-job and labor-market information in a manner that meets the needs of priority users, and to make desired information available in an integrated manner with the agency's other two external sites: esd.wa.gov and go2worksource.com.

Priority customers (users) for this project are job-seekers, employers, and WorkSource employment specialists plus business services staff.

The scope of the project will include:

- objective assessment of the Web site, including its technological framework;
- user research;
- user testing;
- redesign of information architecture and the visual look and feel to meet priority users' needs;
- development, building and migration of content to new Web pages, applications or other products; and
- training and knowledge transfer to prepare staff to maintain the site and its usability as new content is added.

The selected contractor will conduct all of the following activities and create the listed deliverables through each phase of the usability project as follows:

A. Usability Assessment

1. The contractor will conduct an objective assessment of the structure and functionality of the home page and approximately four top landing pages of Workforce Explorer using heuristics

best practices and other measures, plus a detailed “deep dive” analysis of one priority element (to be determined by ESD) of the site in its entirety.

2. The contractor will develop a research plan that identifies goals and time frames for the usability study and explains its methodology. The contractor will research priority users’ requirements for labor-market information and tools. The research will measure priority users’ awareness of green-jobs information available from any current source. The research may consist of focus groups, interviews, on-line surveys, or another other suitable method proposed by the contractor.
3. The contractor will conduct and be present for lab-based usability testing, including audio, eye-tracking, on-screen task activity and video.

Additional requirements for the testing include:

- Develop personas (list of user characteristics) for each of the priority-user categories, a task matrix (specified tasks ranked by user groups) and task-flow diagrams (diagram of steps in a task/process).
- Use a moderator guide and a recruiting screener to ensure that test participants represent priority users.
- Identify user performance and satisfaction metrics to establish a baseline for documenting improved integration, navigability, accessibility and user satisfaction that result from changes to the site. (This will include assessment of time currently needed and degree of difficulty to perform specified tasks.)
- Use a professional usability lab located west of the Cascade crest, within a 100-mile radius of the Washington state capitol in Olympia, where test-participant data will be recorded. The contractor will recruit and schedule test participants (10 per user group, minimum, including a total of at least two low-vision or blind users) and will pay gratuities to those who are not ESD employees. The users tested will include an appropriate balance of ESD employees and non-ESD employees.

Deliverable: The deliverable from the usability assessment phase of the project will be a report summarizing all of the evaluation, research, requirements gathering, and usability testing from the assessment phase. The report must provide documentation of the methodology used for the assessment and detailed recommendations for changing the site (including information architecture plus look and feel) to be consistent with user needs, federal requirements for publishing employment statistics and agency standards, taking into account technology and resource constraints. More specifically, the recommendations must address the following:

- the data, articles and applications that are most useful and desirable for priority users;
- ways to improve existing products, information and applications to meet their needs;
- whether new applications or products should be developed;
- ways to integrate priority products and information seamlessly with esd.wa.gov and go2worksource.com, as presently configured, and possibly InsideESD (intranet site); and
- ways to highlight green-economy labor market information.

B. Design and Prototyping

After completing the assessment and delivering the report to ESD, the contractor will work with the agency to develop specific elements of the new site that incorporate the report’s findings. Based on these discussions, the contractor will conduct the following activities.

1. The contractor will build wireframes (prototypes, mock-ups or schematics) of new pages, applications and other Web-based products; conduct iterative user testing of the prototypes created from the new designs; and
2. Recommend and develop further design modifications needed to resolve any remaining usability issues based on these iterative test results.
3. ESD and the contractor will jointly develop a project plan to guide timely and orderly implementation of the recommended changes, including development, building and migration to a production environment. The jointly developed plan will also include development of on-line and in-person staff training and knowledge transfer so staff can maintain the usability and standards of the new site as new content is added.
4. The contractor will conduct a lab-based round of iterative usability testing of the new designs prior to their public launch. This round of testing will occur after the designs are built and content has been migrated to the new pages and other Web-based products. The testing will measure and contrast with baseline usability testing results to document improved integration, navigability and accessibility, plus the time needed and degree of difficulty to perform specified tasks.

Deliverable: The deliverables from this phase will be 1) the wireframes of the new pages, 2) a brief assessment report that summarizes the two iterative rounds of prototype testing and final design recommendations, and 3) templates for the revised site that reflect the final approved design.

Requirements for all deliverables; contractor will deliver to ESD electronic and hard-copy reports with all data, study metrics and recommendations, including:

- results of heuristic evaluation;
- results of all user research;
- results of all usability testing;
- results of all test participant recruitment, including answers to screener questions;
- documentation of changes in task satisfaction levels, along with improvements in navigability and integration between the pre- and post-redesign tests;
- documentation of missing functionality;
- documentation of barriers to end-user success; and
- participants' on-screen activity, including video.

The contractor will present all testing and study results and recommendations at ESD headquarters in Olympia, including PowerPoint, video highlights and expert commentary. These presentations will be attended by the contractors' principals as well as the staff who performed the elements of the work plan. All test and study results and other work products from this project are the property of ESD and may be used by the vendor for promotional purposes only with ESD's permission. Test participants' names and faces may not be used publicly.

1.3 MINIMUM QUALIFICATIONS

- _____ W
ashington State business license.
- _____ A
 t least 3 years of experience and a portfolio of past work in each of the following areas: Web-site heuristic evaluation; Web-site user research; Web-site usability testing; and Web design and development, following the principles of user-centered design.

1.4 DESIRABLE QUALIFICATIONS

- Demonstrated excellence conducting heuristic evaluation of complex, data-rich Web sites, plus user research and usability testing with end users of such sites.
- Demonstrated excellence designing navigable, usable, complex, data-rich Web sites and Web pages.
- Demonstrated excellence building Web-page designs based on the principles of user-centered design.
- Experience with usability studies, design and development of public sector Web site projects.

Bidders and bidder-proposed staff who do not meet the desired qualifications shall receive a lower score than those who meet or exceed the desired qualifications.

1.5 FUNDING

Any contract awarded as a result of this procurement is contingent upon the availability of funding.

1.6 PERIOD OF PERFORMANCE

The period of performance of any contract resulting from this RFP is tentatively scheduled to begin on or about June 30, 2010, and end on June 10, 2011. Amendments extending the period of performance, if any, shall be at the sole discretion of ESD.

ESD reserves the right to extend the contract for two one-year periods

1.7 CONTRACTING WITH CURRENT OR FORMER STATE EMPLOYEES

Specific restrictions apply to contracting with current or former state employees pursuant to chapter 42.52 of the Revised Code of Washington. Proposers should familiarize themselves with the requirements prior to submitting a proposal that includes current or former state employees.

1.8 DEFINITIONS

Definitions for the purposes of this RFP include:

ESD- The Employment Security Department is the agency of the State of Washington that is issuing this RFP.

Apparent Successful Contractor – The bidder selected as the entity to perform the anticipated services, subject to completion of contract negotiations and execution of a written contract.

Bidder – Individual or company interested in the RFP and that may or does submit a proposal in order to attain a contract with ESD.

Contractor – Individual or company whose proposal has been accepted by ESD and is awarded a fully executed, written contract.

Proposal – A formal offer submitted in response to this solicitation.

Proposer - Individual or company that submits a proposal in order to attain a contract with ESD.

Request for Proposals (RFP) – Formal procurement document utilized to solicit written proposals from potential suppliers. Both cost and non-cost factors are evaluated in addition to conditions of responsiveness and responsibility to achieve best value. The specifications and qualification requirements are written in an outcome based form allowing for consideration of a range of different solutions to meet the procurement need.

1.9 ADA

ESD complies with the Americans with Disabilities Act (ADA). Bidders may contact the RFP Coordinator to receive this Request for Proposals in Braille or on tape.

2. GENERAL INFORMATION FOR BIDDERS

2.1 RFP COORDINATOR

The RFP Coordinator is the sole point of contact at ESD for this procurement. All communication between the Bidder and ESD upon receipt of this RFP shall be with the RFP Coordinator, as follows:

Name	Patty Henson
E-Mail Address	phenson@esd.wa.gov
Mailing Address	P.O. Box 9046 Olympia, WA 98507-9046
Physical Address for Delivery	212 Maple Park Drive Olympia, WA 98501
Phone Number	360-902-0909
Fax Number	360-902-9315

Any other communication will be considered unofficial and non-binding on ESD. Bidders are to rely on written statements issued by the RFP Coordinator. Communication directed to parties other than the RFP Coordinator may result in disqualification of the Bidder.

2.2 ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

This RFP is being issued under the following Schedule. The Response deadlines are mandatory and non-negotiable. Failure to meet any of the mandatory deadlines will result in disqualification from participation. All times is local time, Olympia, WA.

Issue Request for Proposals	May 26
Question & answer period	May 26-June 2
Issue addendum (answers) to RFP (if applicable)	June 1-June 4
Letter of Intent due	June 8
Proposals due	June 14
Evaluate proposals	June 15-18
Conduct interviews with finalists	June 21
Announce "Apparent Successful Contractor" and send notification via fax or e-mail to unsuccessful proposers	June 25
Hold debriefing conferences (if requested)	June 28-29
Negotiate contract	June 25
File contract with OFM (if required)	June 25
Begin contract work	June 30

ESD reserves the right to revise the above schedule.

This contract term is anticipated to begin in late June 2010 and continue through June 10, 2011.

Summary Project Schedule

Date	Event
September 2010	heuristic evaluation, user research, baseline usability testing and design recommendations completed
March 2011	new designs developed, built, mapped, and Web content migrated
April 2011	iterative usability testing and modifications completed; new pages, tools and products launched
May 31, 2011	federal grant period ends
June 30, 2011	training conducted and knowledge transfer documented to maintain new content and tools; evaluation, lessons learned and project close-out completed

2.3 LETTER OF INTENT (MANDATORY)

A letter indicating the Bidder's intent to respond to this RFP should be received by the RFP Coordinator at the address specified in Section 2.1, no later than the date and time listed in Section 2.2, Schedule. The Bidder may submit the Letter of Intent by U.S. mail, facsimile or e-mail. Only Bidders submitting a letter of intent can submit proposals.

Each Bidder should include the following information in the Letter of Intent:

- a) Bidder name;
- b) Statement that the Bidder intends to propose; and
- c) Bidder's authorized representative for this RFP, who will be available as the primary contact throughout the RFP process, and contact information as follows:
 - Name and title of authorized representative
 - Address
 - Telephone number
 - FAX number
 - E-mail address

2.4 VENDOR QUESTIONS

Vendor questions regarding this RFP will be allowed until the date and time specified in the Schedule (Section 2.2). Vendor questions must be submitted in writing (e-mail acceptable) to the RFP Coordinator. An official written ESD response will be provided for vendor questions received by this deadline. Written responses to vendor questions will be posted on the Washington's Electronic Business Solution (WEBS) Web site at <https://fortress.wa.gov/ga/webs>.

The vendor that submitted the questions will not be identified. Verbal responses to questions will be considered unofficial and non-binding. Only written responses posted on WEBS will be considered official and binding.

2.5 VENDOR COMMENTS INVITED

Vendors are encouraged to review the mandatory requirements of this RFP carefully, and submit any comments and recommendations to the RFP Coordinator. Where mandatory requirements appear to prohibit or restrict your firm's participation, an explanation of the issue with suggested alternative language should be submitted in writing to the RFP Coordinator by the deadline for Question and Answer Period in the Schedule (Section 2.2)

2.6 SUBMISSION OF PROPOSALS (MANDATORY)

HARD COPY PROPOSALS:

Bidders are required to submit four (4) copies of their proposal. Two copies must have original signatures and two copies can have photocopied signatures. The proposal, whether mailed or hand delivered, must arrive at ESD no later than 3 p.m. Pacific Standard Time or Pacific Daylight Time on June 14, 2010.

The proposal is to be sent to the RFP Coordinator at the address noted in Section 2.1. The envelope should be clearly marked to the attention of the RFP Coordinator.

Bidders mailing proposals should allow normal mail delivery time to ensure timely receipt of their proposals by the RFP Coordinator. Bidders assume the risk for the method of delivery chosen. ESD assumes no responsibility for delays caused by any delivery service. Proposals may not be transmitted using facsimile transmission.

Late proposals will not be accepted and will be automatically disqualified from further consideration. All proposals and any accompanying documentation become the property of ESD and will not be returned.

Proposals may not be transmitted using facsimile transmission or e-mail.

2.7 PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Proposals submitted in response to this competitive procurement shall become the property of ESD. All proposals received shall remain confidential until the contract, if any, resulting from this RFP, is signed by the Commissioner of the Employment Security Department, or his/her designee, and the apparent successful contractor; thereafter, the proposals shall be deemed public records as defined in Chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the proposal that the bidder desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of your document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the bidder is making the claim must be cited. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words "Proprietary Information" printed on the lower right hand corner of the page. Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored.

If a public records request is made for the information that the bidder has marked as "Proprietary Information," ESD will notify the bidder of the request and of the date that the records will be released to the requester unless the bidder obtains a court order enjoining that disclosure. If the bidder fails to obtain the court order enjoining disclosure, ESD will release the requested information on the date specified. If a bidder obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to Chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, ESD shall maintain the confidentiality of the bidder's information per the court order.

A charge will be made for copying and shipping, as outlined in RCW 42.56. No fee shall be charged for inspection of contract files, but twenty-four (24) hours' notice to the RFP Coordinator is required. All requests for information should be directed to the RFP Coordinator.

2.8 REVISIONS TO THE RFP

ESD reserves the right to change the RFP Schedule or issue amendments to the solicitation at any time. ESD also reserves the right to cancel or reissue the solicitation in whole or in part and for any reason at the sole discretion of ESD at any time prior to execution of a contract.

In the event it becomes necessary to revise any part of the RFP, amendments will be posted on WEBS and bidders are responsible for checking WEBS for any addenda or changes to the RFP.

Specific questions concerning the RFP shall be submitted during the question and answer period. Any oral responses given to questions shall be considered tentative. ESD will be bound only to ESD's written answers to questions. Questions arising in communication with the RFP Coordinator will be documented, answered in written form, and posted on WEBS at <https://fortress.wa.gov/ga/webs/>.

If you obtained this RFP by any other method, you are responsible for sending your name, e-mail address, and telephone number to the RFP Coordinator in order for your organization to receive any RFP addenda.

2.9 MINORITY & WOMEN-OWNED BUSINESS PARTICIPATION

In accordance with chapter 39.19 RCW, the state of Washington encourages participation in all of its contracts by firms certified by the Office of Minority and Women's Business Enterprises (OMWBE). Bidders/proposers should seek to represent the state's interest in goal attainment and MWBE participation. Participation may be either on a direct basis in response to this solicitation or on a subcontractor basis. However, no preference will be included in the evaluation of proposals, no minimum level of MWBE participation shall be required as a condition for receiving an award and proposals will not be rejected or considered non-responsive on that basis. Any affirmative action requirements set forth in federal regulations or statutes included or referenced in the contract documents will apply.

Washington's Electronic Business Solution (WEBS) is an Internet vendor registration and bid notification system. The system offers one online site where vendors can register to receive government bid notifications. Numerical M/WBE participation goals for this solicitation are dependent on the M/WBE firms registered in the categories for this solicitation. ESD's established annual procurement participation goals for MBE is 4.5% and for WBE, 2%. These goals are voluntary. For information on certified firms, bidders may contact OMWBE at 360/753-9693 or <http://www.omwbe.wa.gov>.

2.10 ACCEPTANCE PERIOD

Proposals must provide 60 days for acceptance by ESD from the due date for receipt of proposals.

2.11 RESPONSIVENESS

All proposals will be reviewed by the RFP Coordinator to determine compliance with administrative requirements and instructions specified in this RFP. The bidder is specifically notified that failure to comply with any part of the RFP may result in rejection of the proposal as non-responsive.

ESD also reserves the right at its sole discretion to waive minor administrative irregularities.

2.12 MOST FAVORABLE TERMS

ESD reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms which the bidder can propose. There will be no best and final offer procedure. ESD does reserve the right to contact a bidder for clarification of its proposal.

The apparent successful contractor should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some or the bidder's entire proposal. It is understood that the proposal will become a part of the official procurement file on this matter without obligation to ESD.

2.13 CONTRACT AND GENERAL TERMS & CONDITIONS

The apparent successful contractor will be expected to enter into a contract which is substantially the same as the sample contract and its general terms and conditions attached as Exhibit B. In no event is a bidder to submit its own standard contract terms and conditions in response to this solicitation. The bidder may submit exceptions as allowed in the Certifications and Assurances form, Exhibit A to this solicitation. All exceptions to the contract terms and conditions must be submitted as an attachment to Exhibit A, Certifications and Assurances form. ESD will review requested exceptions and accept or reject the same at its sole discretion.

2.14 COSTS TO PROPOSE

ESD will not be liable for any costs incurred by the bidder in preparation of a proposal submitted in response to this RFP, in conduct of a presentation, or any other activities related to responding to this RFP.

2.15 NO OBLIGATION TO CONTRACT

This RFP does not obligate the State of Washington or ESD to contract for services specified herein.

2.16 REJECTION OF PROPOSALS

ESD reserves the right at its sole discretion to reject any and all proposals received without penalty and not to issue a contract as a result of this RFP.

2.17 COMMITMENT OF FUNDS

The Commissioner of the Employment Security Department or his/her designee is the only individual who may legally commit ESD to the expenditures of funds for a contract resulting from this RFP. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

2.18 INSURANCE COVERAGE

The contractor is to furnish ESD with a certificate(s) of insurance executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth below.

The contractor shall, at its own expense, obtain and keep in force insurance coverage which shall be maintained in full force and effect during the term of the contract. The contractor shall furnish evidence in the form of a Certificate of Insurance that insurance shall be provided, and a copy shall be forwarded to ESD within fifteen (15) days of the contract effective date.

Liability Insurance

- 1) Commercial General Liability Insurance: Contractor shall maintain general liability (CGL) insurance and, if necessary, commercial umbrella insurance, with a limit of not less than \$1,000,000 per each occurrence. If CGL insurance contains aggregate limits, the General Aggregate limit shall be at least twice the "each occurrence" limit. CGL insurance shall have products-completed operations aggregate limit of at least two times the "each occurrence" limit. CGL insurance shall be written on ISO occurrence from CG 00 01 (or a substitute for providing equivalent coverage). All insurance shall cover liability assumed under an insured contract (including the tort liability of another assumed in a business contract), and contain separation of insureds (cross liability) condition.

Additionally, the contractor is responsible for ensuring that any subcontractors provide adequate insurance coverage for the activities arising out of subcontracts.

- 2) Business Auto Policy: As applicable, the contractor shall maintain business auto liability and, if necessary, commercial umbrella liability insurance with a limit not less than \$1,000,000 per accident. Such insurance shall cover liability arising out of "Any Auto." Business auto coverage

shall be written on ISO form CA 00 01, 1990 or later edition, or substitute liability form providing equivalent coverage.

Employers Liability (“Stop Gap”) Insurance: In addition, the contractor shall buy employers liability insurance and, if necessary, commercial umbrella liability insurance with limits not less than \$1,000,000 each accident for bodily injury by accident or \$1,000,000 each employee for bodily injury by disease.

Additional Provisions

Above insurance policy shall include the following provisions:

1. **Additional Insured.** The State of Washington, Employment Security Department, its elected and appointed officials, agents and employees shall be named as an additional insured on all general liability, excess, umbrella and property insurance policies. All insurance provided in compliance with this contract shall be primary as to any other insurance or self-insurance programs afforded to or maintained by the State.
2. **Cancellation.** State of Washington, Employment Security Department, shall be provided written notice before cancellation or non-renewal of any insurance referred to therein, in accord with the following specifications. Insurers subject to 48.18 RCW (Admitted and Regulation by the Insurance Commissioner): The insurer shall give the State 45 days advance notice of cancellation or non-renewal. If cancellation is due to non-payment of premium, the State shall be given 10 days advance notice of cancellation. Insurers subject to 48.15 RCW (Surplus lines): The State shall be given 20 days advance notice of cancellation. If cancellation is due to non-payment of premium, the State shall be given 10 days advance notice of cancellation.
3. **Identification.** Policy must reference the State's contract number and the agency name.
4. **Insurance Carrier Rating.** All insurance and bonds should be issued by companies admitted to do business within the State of Washington and have a rating of A-, Class VII or better in the most recently published edition of Best's Reports. Any exception shall be reviewed and approved by the Employment Security Department Risk Manager, or the Risk Manager for the State of Washington, before the contract is accepted or work may begin. If an insurer is not admitted, all insurance policies and procedures for issuing the insurance policies must comply with Chapter 48.15 RCW and 284-15 WAC
5. **Excess Coverage.** By requiring insurance herein, the State does not represent that coverage and limits will be adequate to protect Contractor and such coverage and limits shall not limit Contractor's liability under the indemnities and reimbursements granted to the State in this contract.

Worker's Compensation Coverage

The Contractor will at all times comply with all applicable workers' compensation, occupational disease, and occupational health and safety laws, statutes, and regulations to the full extent applicable. The State will not be held responsive in any way for claims filed by the Contractor or its employees for services performed under the terms of this contract.

3. PROPOSAL CONTENTS

Proposals must be written in English and submitted on eight and one-half by eleven inch (8 ½" x 11") paper with tabs separating the major sections of the proposal, using 12-point type or larger. The four major sections of the proposal are to be submitted in the order noted below:

1. Letter of Submittal, including signed Certifications and Assurances (Exhibit A to this RFP)
2. Technical Proposal
3. Management Proposal, including Portfolio, and
4. Cost Proposal

Proposals must provide information in the same order as presented in this document with the same headings. This will not only be helpful to the evaluators of the proposal, but should assist the bidder in preparing a thorough response.

Items marked "mandatory" must be included as part of the proposal for the proposal to be considered responsive, however, these items are not scored. Items marked "scored" are those that are awarded points as part of the evaluation conducted by the evaluation team.

3.1 LETTER OF SUBMITTAL (MANDATORY)

The Letter of Submittal and the attached Certifications and Assurances form (Exhibit A to this RFP) must be signed and dated by a person authorized to legally bind the bidder to a contractual relationship, e.g., the President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship. Along with introductory remarks, the Letter of Submittal is to include by attachment the following information about the bidder and any proposed subcontractors:

1. Name, address, principal place of business, telephone number, and fax number/e-mail address of legal entity or individual with whom contract would be written.
2. Name, address, and telephone number of each principal officer (President, Vice President, Treasurer, Chairperson of the Board of Directors, etc.)
3. Legal status of the bidder (sole proprietorship, partnership, corporation, etc.) and the year the entity was organized to do business as the entity now substantially exists.
4. Federal Employer Tax Identification number or Social Security number and the Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue. If the bidder does not have a UBI number, the bidder must state that it will become licensed in Washington within thirty (30) calendar days of being selected as the Apparently Successful Contractor.
5. Location of the facility from which the bidder would operate.
6. Identify any State employees or former State employees employed or on the firm's governing board as of the date of the proposal. Include their position and responsibilities within the bidder's organization. If following a review of this information, it is determined by ESD that a conflict of interest exists, the bidder may be disqualified from further consideration for the award of a contract.

3.2 TECHNICAL PROPOSAL (MANDATORY SCORED)

The Technical Proposal must contain a comprehensive description of services including the following elements:

- A. Project Approach/Methodology** – Include a complete description of the bidder's proposed approach and methodology for the project. This section should convey bidder's understanding of the proposed project as described in Section 1.2, Objectives and Scope of Work.
- B. Work Plan** - Include all project requirements and the proposed tasks, services, activities, etc. necessary to accomplish the scope of the project defined in Section 1.2, Scope of Work and Deliverables in this RFP. This section of the technical proposal must contain sufficient detail to convey to members of the evaluation team the bidder's knowledge of the subjects and skills necessary to successfully complete the project. Include any required involvement of ESD staff. The bidder may also present any creative approaches that might be appropriate and may provide any pertinent supporting documentation.
- C. Project Schedule** - Include a project schedule indicating when the elements of the work will be completed and when deliverables, if any, will be provided.
- D. Deliverables** – Fully describe deliverables to be submitted under the proposed contract. Deliverables must support the requirements set forth in Section 1.2, Objectives and Scope of Work.

3.3 MANAGEMENT PROPOSAL

A. Project Management (MANDATORY SCORED)

- 1. **Project Team Structure/Internal Controls** - Provide a description of the proposed project team structure and internal controls to be used during the course of the project, including any subcontractors. Provide an organizational chart of your firm indicating lines of authority for personnel involved in performance of this potential contract and relationships of this staff to other programs or functions of the firm. This chart must also show lines of authority to the next senior level of management. Include who within the firm will have prime responsibility and final authority for the work.
- 2. **Staff Qualifications/Experience** - Identify staff, including subcontractors, who will be assigned to the potential contract, indicating the responsibilities and qualifications of such personnel, and include the amount of time each will be assigned to the project. Provide resumes for the named staff, which include information on the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information. The bidder must commit that staff identified in its proposal will actually perform the assigned work. Any staff substitution must have the prior approval of ESD.

B. Experience of the Bidder (MANDATORY SCORED)

- 1. _____ D
escribe your firm's, and any subcontractors', experience accomplishing projects similar in scope and size to the one requested in this solicitation. Experience with public sector projects is highly desirable. Include experience your firm and any subcontractors have in the following areas:
 - _____ W
eb-site heuristic evaluation,

- _____ u
ser research,
- _____ u
sability testing, and
- _____ d
esign and development.

2. Indicate other relevant experience that indicates the qualifications of the bidder, and any subcontractors, for the performance of the potential contract.
3. Include a list of contracts the bidder has had during the last five years that relate to the bidder's ability to perform the services needed under this RFP. List contract reference numbers, contract period of performance, contact persons, telephone numbers, and fax numbers/e-mail addresses.

C. Portfolio (MANDATORY SCORED)

1. Bidders are required to submit a portfolio of work (including examples of Web sites designed and/or built as well as usability studies completed) reflecting their prior experience and qualifications to provide the deliverables described in Section 1.2. The minimum and desirable qualifications should be evident in the portfolio.
2. Portfolios should be clearly labeled as part of the bidder's response to this RFP and must be received no later than 3:00 p.m., Pacific Standard Time, in Olympia, Washington, on the response due date.
3. Late portfolios will not be accepted and will be automatically disqualified from further consideration unless ESD's mail service is found to be at fault. All materials become the property of ESD and will not be returned. Contractors assume the risk for the method of delivery chosen. ESD assumes no responsibility for delays caused by any delivery service. Contractors should not send original samples.

C. Related Information (MANDATORY)

1. If the bidder or any subcontractor contracted with the state of Washington during the past 24 months, indicate the name of the agency, the contract number and project description and/or other information available to identify the contract.
2. If the bidder's staff or subcontractor's staff was an employee of the state of Washington during the past 24 months, or is currently a Washington State employee, identify the individual by name, the agency previously or currently employed by, job title or position held and separation date.
3. If the bidder has had a contract terminated for default in the last five years, describe such incident. Termination for default is defined as notice to stop performance due to the Bidder's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the Proposer, or (b) litigated and such litigation determined that the Proposer was in default.
4. Submit full details of the terms for default including the other party's name, address, and phone number. Present the bidder's position on the matter. ESD will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience. If no such termination for default has been experienced by the Bidder in the past five years, so indicate.

D. References (MANDATORY SCORED)

List names, addresses, telephone numbers, and fax numbers/e-mail addresses of three (3) business references for whom work has been accomplished and briefly describe the

type of service provided. At least one of the references should be for performance of work similar in scope and size to that requested in this solicitation. The bidder must grant permission to ESD to contact the references and others who may have pertinent information regarding the bidder's qualifications and experience to perform the services required by this RFP. Do not include current ESD staff as references. References will be contacted for the top-scoring proposal(s) only.

E. OMWBE Certification (Optional)

Include proof of certification issued by the Washington State Office of Minority and Women-Owned Business Enterprises if certified minority-owned firm and/or women-owned firm(s) will be participating on this project. For information:
<http://www.omwbe.wa.gov>.

3.4 COST PROPOSAL

The evaluation process is designed to award this procurement not necessarily to the bidder of least cost, but rather to the bidder whose proposal best meets the requirements of this RFP. However, Bidders are encouraged to submit proposals which are consistent with State government efforts to conserve state resources.

A. Identification of Costs (MANDATORY SCORED)

Identify all costs in U.S. dollars including expenses to be charged for performing the services necessary to accomplish the objectives of the contract. The bidder is to submit a fully detailed budget including staff costs and any non-labor expenses necessary to accomplish the tasks and to produce the deliverables under the contract. No additional charges for overhead, travel or other expenses shall be allowed. Bidders are required to collect and pay Washington state sales tax, as applicable.

Costs for subcontractors are to be broken out separately. Please note if any subcontractors are certified by the Office of Minority and Women's Business Enterprises.

Cost proposals should break out costs for the major deliverables, showing costs separately for the following:

1. Heuristic evaluation
2. User research
3. In-lab baseline usability testing
4. Design services for information architecture
5. Design services for new visual look and feel
6. Development/building of prototypes/mockups of new pages, applications and other Web-based products. (The proposal should assume that 10 prototype/mockup pages are needed, and should include a per-mockup cost in case more are necessary.)
7. Iterative usability testing of new designs
8. Design modifications, based on testing of new designs and content
9. Lab-based pre-launch usability testing
10. Other costs, specify

Deliverables are subject to review and approval by ESD prior to payment.

Deliverables shall be presented to the ESD for approval. ESD requires a minimum 3 working-day review period for Deliverables.

Compliance with ESD Standards

The successful contractor is expected to comply with all appropriate ESD process standards (Requirements Development and Management, Project Management Methodology, configuration management, Solutions Delivery Lifecycle, etc.) and division policies (ethics, Internet / email

usage, security, harassment). Failure to comply on a continuing basis will result in contract termination. ESD shall supply a copy of all such policies to the awarded contractor.

4. EVALUATION AND CONTRACT AWARD

4.1 EVALUATION PROCEDURE

Responsive proposals will be evaluated strictly in accordance with the requirements stated in this solicitation and any addenda issued. The evaluation of proposals shall be accomplished by an evaluation team, to be designated by ESD, which will determine the ranking of the proposals.

Items in Section 3, Proposal Contents, marked “mandatory” must be included as part of the proposal for the proposal to be considered responsive; however, these items are not scored. Items marked “scored” are those that are awarded points as part of the evaluation conducted by the evaluation team.

ESD, at its sole discretion, may elect to select the top-scoring firms as finalists for interviews.

The RFP Coordinator may contact the Bidder for clarification of any portion of the Bidder's proposal.

4.2 EVALUATION WEIGHTING AND SCORING

The following weighting and points will be assigned to the proposal for evaluation purposes:

Technical Proposal – 35%	35 points
Project Approach/Methodology	15 points (maximum)
Quality of Work Plan and project schedule	15 points (maximum)
Project Deliverables	10 points (maximum)
Management Proposal – 40%	40 points
Project Team Structure/ Internal Controls	5 points (maximum)
Staff Qualifications/Experience	10 points (maximum)
Experience of the Bidder	10 points (maximum)
References and portfolio	15 points (maximum)
Cost Proposal – 25%	25 points
<hr/>	
GRAND TOTAL	100 POINTS

ESD reserves the right to award the contract to the bidder whose proposal is deemed to be in the best interest of ESD and the state of Washington. The evaluation process is designed to award this procurement not necessarily to the bidder of least cost, but rather to the Bidder whose response best meets the requirements of this RFP.

4.3 INTERVIEWS

After evaluating the written proposals, ESD will schedule interviews with the top-scoring firm(s). ESD will contact the top-scoring firm(s) from the written evaluation to schedule a date, time and location. Commitments made by the Bidder at the interview, if any, will be considered binding.

The interview will determine the apparent successful contractor.

4.4 NOTIFICATION TO BIDDERS

ESD will notify the apparent successful contractor of their selection in writing upon completion of the evaluation process. Individuals or firms whose proposals were not selected for further negotiation or award will be notified separately by e-mail or facsimile.

4.5 OPTIONAL BIDDER DEBRIEFING

Upon request, a debriefing conference will be scheduled with a bidder. The request for a debriefing conference must be received by the RFP Coordinator within three (3) business days after the Unsuccessful Bidder Notification is e-mailed or faxed to the bidder. Debriefing requests must be received by the RFP Coordinator no later than 5:00 PM, local time, in Olympia, Washington on the third business day following the transmittal of the Unsuccessful Bidder Notification. The debriefing must be held within three (3) business days of the request.

Discussion at the debriefing conference will be limited to the following:

- Evaluation and scoring of the firm's proposal;
- Critique of the proposal based on the evaluation;
- Review of proposer's final score in comparison with other final scores without identifying the other firms.

Comparisons between proposals or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one hour.

4.6 PROTEST PROCEDURE

Protests may be made only by bidders who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completing the debriefing conference, the bidder is allowed three (3) business days to file a protest of the acquisition with the ESD's Contracts Office. Protests must be received by ESD's Contracts Office no later than 4:30 PM, local time, in Olympia, Washington on the third business day following the debriefing. Protests may be submitted by e-mail or facsimile, but must then be followed by the document with an original signature.

Bidders protesting this procurement shall follow the procedures described below. Protests that do not follow these procedures shall not be considered. This protest procedure constitutes the sole administrative remedy available to bidders under this procurement.

All protests must be in writing and signed by the protesting party or an authorized Agent. The protest must state the RFP number, grounds for the protest with specific facts and complete statements of the action(s) being protested. A description of the relief or corrective action being requested should also be included. All protests must be addressed to the Contracts office as follows:

Contracts Office
Employment Security Department
P.O. Box 9046
Olympia, WA 98506-9046

Only protests stipulating an issue of fact concerning the following subjects shall be considered:

- A matter of bias, discrimination or conflict of interest on the part of an evaluator;
- Errors in computing the score;
- Non-compliance with procedures described in the procurement document or ESD policy.

Protests not based on procedural matters will not be considered. Protests will be rejected as without merit if they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal, or 2) Department's assessment of its own and/or other agencies needs or requirements.

Upon receipt of a protest, a protest review will be held by ESD. The Employment Security Commissioner or an employee designated by the Commissioner who was not involved in the procurement will consider the record and all available facts and issue a decision within five (5) business days of receipt of the protest. If additional time is required, the protesting party will be notified of the delay.

In the event a protest may affect the interest of another Bidder that also submitted a proposal, such bidder will be given an opportunity to submit its views and any relevant information on the protest to the RFP Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold ESD's action; or
- Find only technical or harmless errors in ESD's acquisition process and determine ESD to be in substantial compliance and reject the protest; or
- Find merit in the protest and provide ESD options which may include:
 - Correct the errors and re-evaluate all proposals, and/or
 - Reissue the solicitation document and begin a new process, or
 - Make other findings and determine other courses of action as appropriate.

If ESD determines that the protest is without merit, ESD will enter into a contract with the apparently successful contractor. If the protest is determined to have merit, one of the alternatives noted in the preceding paragraph will be taken.

5. RFP EXHIBITS

Exhibit A Certifications and Assurances

Exhibit B Model Information Technology Contract Terms and Conditions (posted separately)

CERTIFICATIONS AND ASSURANCES

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract(s):

1. I/we declare that all answers and statements made in the proposal are true and correct.
2. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
3. The attached proposal is a firm offer for a period of 60 days following receipt, and it may be accepted by ESD without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)
5. I/we understand that ESD will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of ESD, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
6. Unless otherwise required by law, the prices and/or cost data which have been submitted have not been knowingly disclosed by the Proposer and will not knowingly be disclosed by him/her prior to opening, directly or indirectly to any other Proposer or to any competitor.
7. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached sample contract and general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
8. No attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
9. I/we grant ESD the right to contact references and others, who may have pertinent information regarding the ability of the Bidder and the lead staff person to perform the services contemplated by this RFP.
10. I/we declare, by submission of this proposal, that we are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

We (circle one) **are** / **are not** submitting proposed Contract exceptions. (See Section 2.13, Contract and General Terms and Conditions.) If Contract exceptions are being submitted, I/we have attached them to this form.

On behalf of the bidder submitting this proposal, my name below attests to the accuracy of the above statement.

Signature of Proposer

Title

Date

MODEL CONTRACT

**Terms and Conditions
For**

Workforce Explorer Usability Project

**Posted separately with this RFP on the Washington's Electronic Business Solution
(WEBS) website at <https://fortress.wa.gov/ga/webs>**